IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WP(C).No. 14391 of 2007(L)

PETITIONER:

M/S.MASTIKUNDU MAMMUNHI & SONS
(DEFUNCT) TIMER MERCHANTS, PANALAM,
ALAMPADY P.O., REPRESENTED BY ITS MANAGING
PARTNER, M.MOOSA.

BY ADV. SRI.T.M.SREEDHARAN
SRI.V.P.NARAYANAN

RESPONDENTS:

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1. THE COMMERCIAL TAX OFFICER-III,
KASARGOD.

2. DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, CALICUT.

3. THE INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, KASARGOD.

BY G.P. SRI. MOHAMMED RAFFIQ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF JUDGMENT DATED 19.3.2004 IN WPC 7491 OF 2004 PASSED BY THIS HON'BLE COURT.

EXT.P2 TRUE COPY OF SNOTICE DATED 4.5.2006 ISSUED BY THE FIRST RESPONDENT.

EXT.P3 TRUE COPY OF JUDGMENT DATED 16.6.2006 IN WA NO.1054 OF 2006 PASSED BY THIS HON'BLE COURT.

EXT.P4 TRUE COPY OF ORDER NO. 3611647/84-85 DATED 13.2.2007 PASSED BY THE FIRST RESPONDENT.

EXT.P5 TRUE COPY OF MEMORANDUM OF REVISION DATED 13.3.2007 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P6 TRUE COPY OF STAY PETITION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P7 TRUE COPY OF RR NOTICE NO.G1/2007-08 DATED 21.4.2007 ISSUED BY THE THIRD RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 14391 OF 2007

Dated this the 6th day of June, 2007

JUDGMENT

This Court passed an order on 4.5.2007 directing the appellate authority to pass orders on stay application. If the petitioner has produced the order before the second respondent, he would have passed orders. In any case, if orders are not issued, second respondent is directed to issue orders within two weeks from now. Recovery proceedings will be kept in abeyance for two weeks, and if petitioner does not produce stay order from the second respondent, recovery authority will proceed for recovery.

W.P. is disposed of as above.

(C.N.RAMACHANDRAN NAIR)
Judge